

[Counsel Listed on Signature Pages]

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

In re JDS UNIPHASE CORPORATION  
SECURITIES LITIGATION

Master File No. C-02-1486 CW (EDL)

This Document Relates To:

ALL ACTIONS

**STIPULATION AND ORDER**  
**REGARDING: REVISED CLASS NOTICE**  
**AND PUBLICATION OF CLASS NOTICE**

STIP. AND [PROPOSED] ORDER REGARDING:  
REVISED CLASS NOTICE AND PUBLICATION OF CLASS NOTICE  
Master File No. C-02-1486 CW (EDL)  
sf-2161197

1 WHEREAS, on April 6, 2006, the Court issued an Order Granting Lead Plaintiff's  
2 Motion for Approval of Class Notice that attached an approved form of class notice and  
3 established a schedule for disseminating class notice;

4 WHEREAS, the parties agreed to modify the approved form of class notice to also  
5 refer to shares of JDS Uniphase Canada Ltd.;

6 WHEREAS, the parties agreed that the modified class notice must be disseminated in a  
7 manner sufficient to reach purchasers of shares of JDS Uniphase Canada Ltd.;

8 WHEREAS, the parties have agreed upon a revised class notice, which is attached  
9 hereto as Exhibit A;

10 WHEREAS, the parties have agreed upon a revised summary class notice, which is  
11 attached hereto as Exhibit B;

12 WHEREAS, the Court has not yet approved Exhibits A and B;

13 WHEREAS, Exhibits A and B must be translated into French before class notice can  
14 be disseminated; and

15 WHEREAS, the parties have agreed upon a plan for translating and disseminating class  
16 notice, provided the Court approves Exhibits A and B;

17 IT IS HEREBY STIPULATED by and between the parties, through their counsel of  
18 record, that:

- 19 1. Exhibit A should be the class notice mailed to class members.
- 20 2. Exhibit B should be the summary class notice published in newspapers.
- 21 3. Upon entry of the following proposed order, Lead Plaintiff shall translate  
22 Exhibits A and B into French.
- 23 4. Once Lead Plaintiff has translated Exhibits A and B into French, Lead Plaintiff  
24 shall provide defendants with copies of the French versions of Exhibits A and B, and  
25 all parties shall work together to confirm that Exhibits A and B have been translated  
26 accurately.

1           5.       When all parties have confirmed that Exhibits A and B have been translated  
2 accurately into French, the parties shall inform the Court of this fact by joint letter.

3           6.       Within 20 days from the date of the letter mentioned in Item 5, above, Lead  
4 Plaintiff or its designee shall mail a copy of Exhibit A:

5               a.       In English and French to all Canadian resident shareholders of JDS  
6 Uniphase Corporation (“JDSU”) or JDS Uniphase Canada Ltd. (“JDS Canada”)  
7 identified on the JDSU and JDS Canada shareholder lists previously furnished to Lead  
8 Plaintiff by JDSU; and

9               b.       In English to all other shareholders of JDSU or JDS Canada identified  
10 on the JDSU and JDS Canada shareholder lists previously furnished to Lead Plaintiff  
11 by JDSU.

12          7.       Within 27 days from the date of the letter mentioned in Item 5, above, Lead  
13 Plaintiff or its designee shall:

14               a.       Publish Exhibit B once in English in each of the following newspapers:  
15 the national edition of *The Wall Street Journal* (United States), *The Globe & Mail*  
16 (Canada), the *National Post* (Canada), and *The Gazette* (Canada);

17               b.       Publish Exhibit B once in French in *La Presse* (Canada); and

18               c.       Post copies of Exhibits A and B (in English and French) on the website  
19 identified in Section 22 of Exhibit A.

20          8.       Lead Plaintiff or its designee shall insure that queries about this lawsuit can be  
21 answered in English or French.

22          9.       Lead Plaintiff or its designee will provide copies of Exhibits A or B (in English  
23 or French) to anyone who requests them.

24          10.       In the event that any dispute arises with respect to the matters addressed in this  
25 stipulation and proposed order, the parties shall stipulate to a schedule for resolving  
26 any such dispute promptly.

1 Dated: July 21, 2006

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10 By: /s/ Jordon Eth  
11 Jordan Eth  
12 Attorneys for Defendants  
13 JDS Uniphase Corporation,  
14 Charles J. Abbe, Jozef Straus, and Anthony  
15 Muller

16 Dated: July 21, 2006

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28 By: /s/ Howard S. Caro  
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1 Dated: July 21, 2006

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21 By: /s/ Anthony Harwood  
22 Anthony Harwood  
23 Counsel for Lead Plaintiff  
24 Connecticut Retirement Plans  
25 and Trust Funds

26 PURSUANT TO STIPULATION, IT IS SO ORDERED.

27 Dated: August 1, 2006

28 /s/ CLAUDIA WILKEN

HONORABLE CLAUDIA WILKEN  
United States District Judge

1 I, Anthony Harwood, am the ECF User whose ID and password are being used to file  
2 this Stipulation and [Proposed] Order Regarding: Revised Class Notice and Publication of  
3 Class Notice. In compliance with General Order 45, X.B., I hereby attest that Jordon Eth,  
4 attorney for Defendants, JDS Uniphase Corporation, Charles J. Abbe, Jozef Straus, and  
5 Anthony R. Muller, and Howard Caro, attorney for Kevin Kalkhoven, have concurred in this  
6 filing.  
7

8  
9 Dated: July 21, 2006

LABATON, SUCHAROW & RUDOLF LLP

10  
11 By: /s/ Anthony Harwood  
12 Anthony Harwood  
13 Counsel for Lead Plaintiff  
14 Connecticut Retirement Plans  
15 and Trust Funds  
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